

AN ACT

ENTITLED, An Act to establish certain requirements regarding the siting of certain wind turbine towers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. For the purposes of this Act, the term, small wind energy system, means any system of one or more wind turbines where the height of each wind turbine tower is less than seventy-five feet.

Section 2. For the purposes of this Act, the term, large wind energy system, means any system of one or more wind turbines not included in the definition of a small wind energy system.

Section 3. Each wind turbine tower of a small wind energy system shall be set back at least 1.1 times the height of the tower from any surrounding property line. However, if the owner of the wind turbine tower has a written agreement with an adjacent land owner allowing the placement of the tower closer to the property line, the tower may be placed closer to the property line shared with that adjacent land owner.

Section 4. Each wind turbine tower of a large wind energy system shall be set back at least five hundred feet or 1.1 times the height of the tower, whichever distance is greater, from any surrounding property line. However, if the owner of the wind turbine tower has a written agreement with an adjacent land owner allowing the placement of the tower closer to the property line, the tower may be placed closer to the property line shared with that adjacent land owner.

An Act to establish certain requirements regarding the siting of certain wind turbine towers.

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I certify that the attached Act
originated in the

SENATE as Bill No. 141

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 141

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State